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LETTER DATED 14 JULY 1994 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola as requested by the Security Council in paragraph 8 of its resolution 932 (1994) of 30 June 1994. The report was adopted by the Committee on 14 July 1994.

(Signed) Emilio J. CARDENAS
Chairman
Security Council Committee established
pursuant to resolution 864 (1993) concerning
the situation in Angola

Annex

Report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 8 of Security Council resolution 932 (1994), adopted on 30 June 1994. Paragraph 8 of the resolution reads as follows:

> "The Security Council,
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> "...
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> "8. Reaffirms the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) and in that context urges the two neighbouring States which have so far failed to respond substantively to requests from the Committee established by resolution 864 (1993) for information required regarding alleged sanctions violations to do so promptly, and requests the Committee to provide a report to the Council, by 15 July 1994, on compliance with the sanctions regime and in particular on possible violations of that regime by those neighbouring States".

II. BACKGROUND

2. At its 4th meeting, held on 12 November 1993, the Committee reviewed, among other things, measures for enhancing effective performance of its mandate. The Committee decided that, in accordance with paragraph 23 of Security Council resolution 864 (1993) which called upon all States to cooperate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution, the Chairman should address a direct appeal to geographically neighbouring countries with Angola, and other countries in the region that might have the ability to monitor air and sea traffic in the area, to increase their vigilance with regard to movement of goods across common borders with Angola, and to monitor and identify the origin of the carriers and of the prohibited goods that might be destined for UNITA. To that end, six letters, dated 15 November 1993, were addressed by the Chairman of the Committee to Botswana, the Congo, Namibia, South Africa, Zaire and Zambia.

3. At the same meeting, the Committee also considered a note verbale from the Permanent Mission of Angola containing information on alleged violations regarding material and logistical support to UNITA in violation of Security Council resolution 864 (1993). The countries cited in the communication were Zaire, South Africa, Zambia and Namibia. In accordance with the Committee's guidelines for the conduct of its work, the Chairman addressed letters, dated 19 November 1993, to the aforementioned countries, requesting the Governments

concerned to undertake thorough investigations regarding the alleged violations and forward their findings to the Committee.

4. Pursuant to the above, in a letter dated 30 December 1993, the Government of South Africa conveyed the findings of its investigation to the Committee. The Government refuted the allegations made by the Angolan Government and indicated that no evidence had been found of South African violations of the provisions of Security Council resolution 864 (1993). The South African Government further recalled its efforts, over the past year, to hold a regional governmental conference with a view to promoting regional cooperation in the field of air traffic monitoring and control.

5. Reminders were addressed to Botswana, the Congo, Zaire and Zambia, on 25 January 1994. A similar reminder was addressed to Namibia on 11 February 1994. In the second week of April 1994, the Chairman of the Committee contacted the Permanent Representatives of Botswana, the Congo, Namibia, Zaire and Zambia to the United Nations to seek a response from their respective Governments to the above communications.

6. In a letter dated 17 May 1994, the Government of Namibia informed the Committee of its findings. Reiterating its commitment to implement the provisions of Security Council resolution 864 (1993) effectively, the Government outlined the measures it had taken to implement fully the relevant resolutions of the Security Council, particularly with regard to air traffic monitoring and control.

7. By communications dated 14 June 1994, the Committee was informed by the Governments of Botswana (with regard to the implementation measures and cooperation requested from neighbouring States) and Zambia (with regard to implementation measures and cooperation requested from neighbouring States as well as alleged violations of sanctions reported by Angola) that an inquiry was under way on the above matters in their respective countries and that the findings and conclusions would be communicated to the Committee as soon as the inquiry was completed.

8. In further compliance with the guidelines for the conduct of its work, the Committee decided to publish the names of the Governments of the Congo and Zaire, indicating that those Governments had failed to respond to its requests for certain information required from them after due reminders had been sent to them. The names of those countries appear in a United Nations press release dated 14 June 1994.

9. In a letter dated 30 June 1994, the Government of Zambia informed the Committee of the measures it had implemented to curb possible violations of the sanctions regime from its territory. The Government assured the Committee of its continuing support and cooperation to the United Nations efforts in Angola. In that regard, the Government of Zambia was also collaborating with other neighbouring countries, namely, Angola, Botswana, Namibia and Zimbabwe on the critical issues of defence and security.

10. By a letter dated 13 July 1994, the Government of Congo reaffirmed its commitment to "the cause of peace in Angola" and the effective implementation of

the measures set forth in paragraph 19 of Security Council resolution 864 (1993).

11. The Government of Botswana, in a letter dated 14 July 1994, advised the Committee that it has been closely monitoring the movement of goods destined for Angola with a view to stopping those items prohibited under the sanctions regime. In addition, the Government has been vigilant with regard to the air traffic between its territory and Angola.

III. OBSERVATIONS AND RECOMMENDATIONS

12. Thus, to this date, no substantive reply has been received from the Government of the Congo (with regard to the implementation measures and cooperation requested from neighbouring States), while no response at all has been received from the Government of Zaire. The Committee has decided to send a further letter to the Congo, urging the Government to expedite its investigation on the matter and forward its response to the Committee not later than 31 August 1994. If no substantive reply is received by the Committee by that date, the matter will be brought to the attention of the Security Council itself for appropriate action.

13. With regard to Zaire, the Committee has exhausted all the available procedures under the guidelines for the conduct of its work to obtain the required information from that Government. The lack of cooperation on the part of the Government of Zaire has clearly undermined the effectiveness of the Committee in its efforts to implement the mandate entrusted to it by the Security Council. In view of the seriousness of the situation, therefore, it is strongly recommended that the matter of cooperation with the Committee by the Government of Zaire, which also constitutes a mandatory commitment and requirement on the part of that Government, should be taken up by the Council itself as a matter of urgency.